

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. AND SPRINT CORP.,

Defendants.

Civil Action No. 2:23-CV-00379-JRG-RSP

HEADWATER RESEARCH LLC,

Plaintiff,

v.

T-MOBILE USA, INC. AND SPRINT CORP.,

Defendants.

Civil Action No. 2:23-CV-00377-JRG-RSP

DEFENDANTS' NOTICE OF FINAL INVALIDITY THEORIES AND EQUITABLE DEFENSES

Pursuant to the Court's June 13, 2025 email correspondence, Defendants T-Mobile USA, Inc. and Sprint LLC (collectively, "T-Mobile") hereby give notice of their final invalidity theories, final prior art references/combinations, and final equitable defenses for the jury trial scheduled to begin on June 23, 2025.

T-Mobile reserves the right to discuss prior art references, including but not limited to with respect to discussing the background state of the relevant art, non-infringing alternatives, and the lack of technical benefits attributable to the asserted patents over the prior art. T-Mobile also reserves the right to rely upon any closely related references, including literature that demonstrates the operation and public availability of the prior art.

T-Mobile does not intend to present any invalidity theories at the jury trial scheduled for June 23, 2025. Pursuant to the Court's ruling at the June 18, 2025 Pre-Trial Conference, to the extent trial in this matter does not proceed on June 23, 2025, T-Mobile reserves the right to amend this notice within seven days of receiving a new trial setting.

T-Mobile intends to present the following equitable defenses: equitable estoppel, acquiescence, and waiver.

T-Mobile makes this disclosure based on its current knowledge and understanding of the asserted claims, Headwater's infringement contentions and expert reports, the parties' exhibit lists and other facts and information available as of today's date.

Dated: June 19, 2025

By: /s/ Josh A. Krevitt

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CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2025, the foregoing was served upon all counsel of record who have consented to electronic service.

/s/ Josh A. Krevitt
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